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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,930	12/01/2003	Jack Lin	14080 B	3250

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EXAMINER

JACKSON, ANDRE L

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/724,930

Applicant(s)

LIN, JACK

Examiner

Andre' L. Jackson

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION**Specification**

The abstract of the disclosure is objected to because of grammatical errors. In line 7, the phrase "the pattern portion" is unclear to which pattern portion is being described. The Examiner believes applicant means -- the second pattern portion --. In line 8, insert -- the -- before "third" and in line 9, change "colored" to -- colors --. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities: On page 2 of applicant's disclosure, line 2, change "print" and "mother" to -- printing -- and -- other -- respectively. Further in lines 15-17, make similar changes as set forth in the grammatical errors find in the abstract above. Appropriate correction is required.

Claim Objections

Claims 1-3 and 5 are objected to because of the following informalities:

Regarding claim 1, in lines 7-9, correct the grammatical errors as described under the **Specification** heading above.

Claim 2, line 2, insert -- a -- before "first process".

In claim 3, line 3, change "next" to read -- a second -- or -- a following --.

As for claim 5, change misspelling "seted" to read -- set --. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6,195,830 to Bruschi. Bruschi discloses a multi-colored handle (1) structure for a paintbrush, along an axial direction (8) of the handle a body (3) extending outward from the handle, the handle comprising; a hard-plastic first core section (13) integrally molded with a second hard plastic core section (17) and a third soft layer (16) coated thereon (col. 3, ln 60), the first core section having a hard first pattern portion or emblem (14b), the second core section having a hard second pattern portion (10), wherein the first pattern portion and the second pattern portion are not coated by the third layer; the first pattern portion, the second pattern portion and the third layer are different in color and form a smooth surface of the handle.

As to claim 2, the first core section is formed in a first process of ejection molding. The first core section is defined with a passage (4) along the central axis. Opposite the first pattern portion is a sunken portion at (11) which is defined by opposing arcuate grooves at a distal end of the handle as seen in Fig. 1, such that the handle includes corresponding sectional area.

As to claim 3, the second core section includes an annular protrusion (14a) defining an annular seat or groove near the proximal end of the handle.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In particular, Mader et al, Tipper et al and Wildforster all disclose tool handle devices and the method of making the handle grips by molding techniques within the art. These references may be used singly or in combination thereof to meet the limitations of applicant's claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (703) 605-4276. The examiner can normally be reached on Mon. - Fri. (10 am - 6 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (703) 306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

André L. Jackson
Patent Examiner
AU 3677

ALJ


ROBERT J. SANDY
PRIMARY EXAMINER